IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 22ND MARCH 2007 / 1ST CHAITHRA 1929

Bail Appl..No. 1755 of 2007()

AGAINST THE ORDER DATED 12/03/2007 IN ORDER IN
CMP.544/2007 of SESSIONS COURT, PATHANAMTHITTA
CMP.790/2007 of J.M.F.C.,THIRUVALLA
(ORDER)
CRIME NO.16/2007 OF THIRUVALLA EXCISE RANGE

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PETITIONERS/ACCUSED 2 TO 4

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1. RAMESAN,S/O.DAMODARAN,NADUVILAPARAMPIL VEEDU,PARAL MURI,VAZHAPALLY PADINJARU VILLAGE, CHANGANASSERY TALUK.

2. SAMINADH,S/O.KAMALASANAN,THEVARUPARAMBIL VEEDU,THOTTUVATHALA MURI,KAINAKARI VILLAGE, KUTTANADU TALUK.

3. RETHISH,S/O.SUKUMARAN,PULICHUVATTIL VEEDU,KADAMANCHIRA MURI,TRIKODITHANAM VILLAGE, CHANAGANASSERY TALUK.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENTS: RESPONDENT/STATE

STATE OF KERALA,REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1755/2007

Dated this 22nd day of March, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioners who are accused Nos. 2 to 4 in C.R. No. 16 of 2007 of Thiruvalla Excise Range for an offence punishable under Section 8(2) of the Abkari Act for allegedly having been found in possession of 18 liters of illicit arrack, seek their enlargement on bail. Petitioners were arrested on 17.2.2007.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of offence and the other circumstances of the case, I am inclined to grant bail to the petitioners. Accordingly, the petitioners are directed to be released on bail on each of them executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Thiruvalla and subject to the following conditions:

1. The Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioners shall make themselves available for interrogation as and when required by the police.

3. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. The petitioners shall not commit any offence while on bail.

4. If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

The application is allowed as above.

V.RAMKUMAR,
JUDGE

mrcs